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Attorney Docket No. 9389-11

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Samuel D. Griggs et al.

Application Serial No.: 10/738,547

Group Art Unit: Unknown

Filed: December 17, 2003

Examiner: Unknown

For: Netting Chutes For Manual And/Or Automated Clipping Packaging Apparatus

Date: April 14, 2004

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**PRELIMINARY AMENDMENT**

Dear Sirs:

The present amendment is provided in the Revised Amendment format as published in the Official Gazette on February 25, 2003. If any extension of time for the accompanying response or submission is required, Applicants requests that this be considered a petition therefor. The Commissioner is hereby authorized to charge any additional fee, which may be required, or credit any refund, to our Deposit Account No. 50-0220.

**Amendments to the Specification** begin on page 2 of this document.

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 3 of this document.

**Remarks** begin on page 12 of this document.

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**Amendments to the Specification:**

Please replace the paragraph at page 1, line 2, with the following amended paragraph.

**Related Applications**

This application claims the benefit of priority of U.S. Provisional Patent Application Serial No. 60/508,609, filed October 3, 2003, the contents of which are hereby incorporated by reference as if recited in full herein, and this application is a continuation-in-part of U.S. Patent Application Serial No. 10/339,910, filed January 10, 2003, directly and/or via continuation application identified by Attorney Docket No. 109930.00131, filed February 19, 2004, each of which claims the benefit of priority to U.S. Provisional Patent Application Serial No. 60/347,477, filed January 11, 2002.

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In the claims:

1. (Original) A netting/product chute comprising an outer wall defining an interior cavity extending therethrough, the outer wall including an exterior surface adapted to hold netting thereon, the cavity having a non-circular cross-section.
2. (Original) A netting/product chute according to Claim 1, the chute comprising a primary body and an entry segment attached thereto, the entry segment having a flared portion with a first cross-sectional area that tapers into an adjacent downstream portion proximate the primary body to have a smaller second cross-sectional area thereat.
3. (Original) A netting/product chute according to Claim 1, wherein the cavity has a generally pentagonal cross-sectional shape.
4. (Original) A netting/product chute according to Claim 1, wherein the product chute comprises a generally planar floor.
5. (Currently Amended) A netting/product chute according to Claim 1, wherein the cavity cross-sectional shape comprises an upper generally triangular portion.
6. (Original) A netting/product chute according to Claim 1, wherein the cavity cross-sectional shape is generally oval.
7. (Currently Amended) A netting/product chute according to Claim 6, wherein the product chute is configured with at least one wall that defines the generally oval shape and comprises opposing semicircular sides that merge into opposing generally planar upper and lower portions.
8. (Original) A netting/product chute according to Claim 7, wherein the lower portion defines a substantially planar floor.

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9. (Original) A netting/product chute according to Claim 4, wherein the outer wall has a cross-sectional shape with a generally curvilinear upper portion that terminates into the generally planar floor.

10. (Original) A netting/product chute according to Claim 9, wherein the outer wall has an upper circular cross-sectional shape that is truncated by the generally planar floor.

11. (Original) A netting/product chute according to Claim 1, wherein a discharge end of the product chute has an angular cross section when viewed from the side so that a length of an upper portion of the product chute is less than a length of a lower portion of the product chute.

12. (Original) A netting/product chute according to Claim 1, further comprising a sleeve of netting material held against the exterior surface of the outer wall of the netting/product chute.

13. (Original) A netting/product chute according to Claim 12, wherein the sleeve of netting material is configured to be in tension and extends a distance beyond a discharge end of the chute during operative use.

14. (Original) A netting/product chute according to Claim 1, further comprising a mounting bracket having a planar substantially horizontal mounting platform attached to a lower portion of the product chute.

15. (Original) A netting/product chute according to Claim 1, further comprising a mounting bracket having a contoured recess configured to receive a lower portion of the product chute therein.

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16. (Original) A netting/product chute according to Claim 15, wherein the mounting bracket is an angled bracket with the contoured recess merging into a first downwardly extending segment that, in turn, merges into an axially extending segment.

17. (Original) A netting/product chute according to Claim 16, wherein the mounting bracket comprises a sensor that cooperates with a component on a mounting frame to inhibit operation when the chute is not in proper operative position.

18. (Original) A netting/product chute according to Claim 1, further comprising a handle attached to the outer wall of the product chute proximate an ingress portion thereof.

19. (Original) A netting/product chute according to Claim 2, wherein the flared entry segment defines a gap space proximate to and upstream of the floor of the primary body of the product chute.

20. (Original) A system for enclosing at least one semi-solid or solid product in a covering material, comprising:

an elongate product chute having a generally planar floor and an outer wall defining opposing receiving and discharge end portions and an interior cavity extending therethrough, the cavity having a non-circular cross-sectional shape; and

a clipper mechanism disposed downstream of the product chute, the clipper mechanism configured to apply at least one clip to a covering material that resides over and encloses a product discharged from the product chute.

21. (Original) A system according to Claim 20, wherein the chute further comprises an entry segment attached to the outer wall, the entry segment having a flared portion with a first cross-sectional area that tapers into an adjacent downstream portion proximate the outer wall to have a smaller second cross-sectional area thereat.



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22. (Original) A system according to Claim 20, wherein the cavity has a generally pentagonal cross-sectional shape.

23. (Currently Amended) A system according to Claim 20, wherein the cavity cross-sectional shape comprises an upper generally triangular portion.

24. (Original) A system according to Claim 20, wherein the cavity cross-sectional shape is generally oval.

25. (Currently Amended) A system according to Claim 24, wherein the outer wall defines the generally oval shape and comprises opposing generally semicircular sides that merge into opposing generally planar upper and lower portions.

26. (Original) A system according to Claim 20, wherein the product chute outer wall has cross-sectional shape with a generally curvilinear upper portion that terminates into the lower generally planar floor.

27. (Currently Amended) A system according to Claim 20, wherein the product chute outer wall has cross-sectional shape with an upper circular shape that defines a major portion of the perimeter of the cross-sectional shape and is truncated by the generally planar floor.

28. (Original) A system according to Claim 20, wherein a discharge end of the product chute has an angular cross section when viewed from the side so that a length of an upper portion of the product chute is less than a length of a lower portion of the product chute.

29. (Original) A system according to Claim 20, further comprising a sleeve of netting material held against an exterior surface of the outer wall of the product chute.

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30. (Original) A system according to Claim 29, wherein the sleeve of netting material is configured to be held in tension and extends a distance beyond a discharge end of the chute during operative use.

31. (Original) A system according to Claim 20, further comprising a mounting bracket, the mounting bracket having a planar substantially horizontal mounting platform attached to a bottom of the product chute.

32. (Original) A system according to Claim 20, further comprising a mounting bracket, the mounting bracket having a contoured recess configured to receive a lower bottom portion of the product chute therein.

33. (Original) A system according to Claim 32, wherein the mounting bracket is an angled bracket with the contoured recess merging into a first downwardly extending segment that, in turn merges into an axially extending segment.

34. (Original) A system according to Claim 20, further comprising a mounting bracket affixed to the product chute, wherein the mounting bracket comprises a sensor that cooperates with a component on a mounting frame to inhibit operation when the chute is not in proper operative position.

35. (Original) A system according to Claim 20, further comprising a handle attached to the product chute proximate an ingress portion thereof.

36. (Original) A system according to Claim 21, wherein the flared entry segment defines a gap space proximate to and upstream of the floor of the primary body of the product chute.

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37. (Original) A system according to Claim 20, further comprising a mounting bracket attached to the product chute, and wherein the product chute mounting bracket is releasably mounted to a frame that holds the product chute in alignment with the clipper mechanism during operation.

38. (Original) A system according to Claim 20, wherein the product chute interior cavity has a cross-sectional profile that is sized and configured to snugly receive and/or compress a product as the product moves along the length thereof.

39. (Original) A system according to Claim 20, wherein the product chute is held substantially horizontal during operation.

40. (Original) A system according to Claim 20, wherein the product chute is held tilted relative to horizontal during operation.

41. (Original) A method of packaging an object or objects in netting, comprising:  
pushing at least one object through a product chute having a floor and a non-circular cross-sectional shape;

pulling netting material downstream of the product chute off of an exterior surface of the product chute to automatically enclose the object in the netting material as the object exits the product chute; and then

applying at least one clip to the netting material to secure the object in the netting material.

42. (Original) A method according to Claim 41, wherein the netting material comprises a sleeve of elastic netting material.

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43. (Original) A method according to Claim 41, wherein the netting material comprises netting material that is elastically isotropic to thereby be stretchable in an axial direction and in a direction that is substantially orthogonal thereto.

44. (Original) A method according to Claim 41, wherein the chute has a generally planar floor.

45. (Original) A method according to Claim 44, wherein the chute has a substantially planar floor.

46. (Original) A method according to Claim 41, wherein the chute comprises a primary body and an entry segment attached thereto, the entry segment having a flared portion with a first cross-sectional area that tapers into an adjacent downstream portion proximate the primary body to have a smaller second cross-sectional area thereat.

47. (Original) A method according to Claim 41, wherein the cavity has a generally pentagonal cross-sectional shape.

48. (Currently Amended) A method according to Claim 41, wherein the cavity cross-sectional shape comprises an upper generally triangular portion.

49. (Original) A method according to Claim 41, wherein the cavity cross-sectional shape is generally oval.

50. (Currently Amended) A method according to Claim 49, wherein the product chute is configured with at least one wall that defines the generally oval shape and comprises opposing semicircular sides that merge into opposing generally planar upper and lower portions.

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51. (Original) A method according to Claim 41, wherein the product chute has an outer wall with a cross-sectional shape having a generally curvilinear upper portion that terminates into a generally planar lower floor portion.

52. (Original) A method according to Claim 41, wherein the product chute has an upper circular cross-sectional shape that is truncated by a generally planar floor.

53. (Original) A method according to Claim 41, wherein a discharge end of the product chute has an angular cross section when viewed from the side so that a length of an upper portion of the product chute is less than a length of a lower portion of the product chute.

54. (Original) A method according to Claim 41, further comprising placing a sleeve of netting material over the product chute and stretching the sleeve so that it is in tension in at least the axial direction and extends a distance beyond a discharge end of the chute prior to the pulling and/or applying step.

55. (Original) A method according to Claim 54, further comprising releaseably mounting the product chute to a mounting frame after inserting the sleeve of material thereon.

56. (Original) A method according to Claim 55, further comprising automatically sensing whether the product chute is in position to thereby inhibit operation when the chute is not in proper operative position.

57. (Original) A method according to Claim 41, wherein the object is a meat product.

58. (Original) A method according to Claim 57, wherein the meat product is a ham.

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59. (Original) A method according to Claim 41, wherein the meat product comprises turkey held in a mold.

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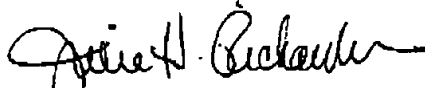
### REMARKS

This preliminary Amendment is timely submitted within four months of the filing date of the instant patent application to correct the priority recited in the first paragraph of the application pursuant to 37 CFR 1.78(a)(2). As such, no fee is believed due.

### Conclusion

Applicants submit that the present application is in condition for examination and the same is earnestly solicited.

Respectfully submitted,

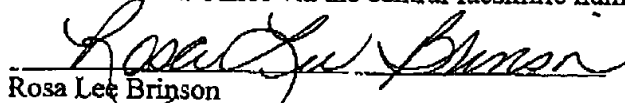


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Inventor: Griggs et al.

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Respectfully submitted,  
MYERS BIGEL SIBLEY & SAJOVEC, P.A.  
Attorneys for Applicant

